

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi

RETURN

DALE FERMIN, individually and on behalf of other
similarly situated persons,*Plaintiff(s)*

v.

RPM PIZZA, LLC,
GLENN MUELLER,
RICHARD MUELLER, JR., and
RICHARD MUELLER, III*Defendant(s)*

Civil Action No.

1:13cv304 LG-Jmr

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* RICHARD MUELLER, III
C/O RPM PIZZA, LLC
15384 - 5TH STREET
GULFPORT, MS 36503

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

ERIK HENINGER
HENINGER GARRISON DAVIS, LLC
2224 - 1ST AVENUE NORTH
BIRMINGHAM, AL 35203
205.326.3336

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

J. T. NOBLIN

CLERK OF COURT



Signature of Clerk or Deputy Clerk

Date: 7-23-13

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) Richard Mueller III
 was received by me on (date) 8-2-13.

☐ I personally served the summons on the individual at (place) _____
 on (date) _____; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Tom Holliday, who is
 designated by law to accept service of process on behalf of (name of organization) RPM Pizza LLC
 on (date) 8-5-13; or

☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ 75.00 for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 8-5-13

Cory Bush
 Server's signature

Cory Bush
 Printed name and title

SRA Investigations, Inc.

2382 Highway 80 W., Suite C

Jackson, MS 39204

601-960-4194

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

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Plaintiff(s)

v.

RPM PIZZA, LLC,
GLENN MUELLER,
RICHARD MUELLER, JR., and
RICHARD MUELLER, III

Defendant(s)

Civil Action No. 1:13cv304LG-Jmr

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* GLENN MUELLER
C/O RPM PIZZA, LLC
15384 - 5TH STREET
GULFPORT, MS 36503

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

ERIK HENINGER
HENINGER GARRISON DAVIS, LLC
2224 - 1ST AVENUE NORTH
BIRMINGHAM, AL 35203
205.326.3336

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

J. T. NOBLIN
CLERK OF COURT



Date: 7-23-13

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) Glenn Mueller
 was received by me on (date) 8-2-13.

☐ I personally served the summons on the individual at (place) _____
 on (date) _____; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Tom Holliday, who is
 designated by law to accept service of process on behalf of (name of organization) RPM Pizza LLC
 on (date) 8-5-13; or

☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ 75.00 for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 8-5-13

Cory Bush
 Server's signature

Cora Bush
 Printed name and title

SRA Investigations, Inc.

2382 Highway 80 W., Suite C

Jackson, MS 39204
 Server's address
 601-960-4194

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GLENN MUELLER,
RICHARD MUELLER, JR., and
RICHARD MUELLER, III*Defendant(s)*

Civil Action No. 1:13 cv 304 LG-Jmr

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* RPM PIZZA, LLC
 C/O CT CORPORATION SYSTEM
 645 LAKELAND EAST DR., SUITE 101
 FLOWOOD, MS 39232

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

ERIK HENINGER
 HENINGER GARRISON DAVIS, LLC
 2224 - 1ST AVENUE NORTH
 BIRMINGHAM, AL 35203
 205.326.3336

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

J. T. NOBLIN

CLERK OF COURT

Date:

7-23-13



Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) RPM Pizza c/o CT Corp System
 was received by me on (date) 7-30-13.

☒ I personally served the summons on the individual at (place) CT Corp c/o Matt Thibodeaux
645 Lakeland East Dr. Ste 101 Flowood, MS on (date) 8-2-13; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on (name of individual) _____, who is
 designated by law to accept service of process on behalf of (name of organization) _____
 on (date) _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ 75.00 for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 8-2-13

Craig Upton
 Server's signature

Craig Upton Process Server
 Printed name and title

SRA Investigations, Inc.
 2382 Highway 80 W., Suite C
 Jackson, MS 39204
 601-960-4194

Additional information regarding attempted service, etc:

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RICHARD MUELLER, III*Defendant(s)*

Civil Action No.

1:13cv304LG-JmL

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To: *(Defendant's name and address)* RICHARD MUELLER, JR.
C/O RPM PIZZA, LLC
15384 - 5TH STREET
GULFPORT, MS 36503

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

ERIK HENINGER
HENINGER GARRISON DAVIS, LLC
2224 - 1ST AVENUE NORTH
BIRMINGHAM, AL 35203
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This summons for (name of individual and title, if any) Richard Mueller Jr.
 was received by me on (date) 8-2-13.

☐ I personally served the summons on the individual at (place) _____
 on (date) _____; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Tom Holliday, who is
 designated by law to accept service of process on behalf of (name of organization) RPM Pizza LLC
 on (date) 8-5-13; or

☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ 75.00 for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 8-5-13

Corey Burk
 Server's signature

Corey Burk
 Printed name and title

SRA Investigations, Inc.

2382 Highway 80 W., Suite C

Jackson, MS 39204

801-960-4494

Additional information regarding attempted service, etc: